

# REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER  
(FOR AUDITOR'S USE ONLY)

601  
12/05

TO: CITY ATTORNEY

2. FROM: (ORIGINATING DEPARTMENT)  
CITY PLANNING & COMMUNITY  
INVESTMENT DEPARTMENT

3. DATE  
October 21, 2008

4. SUBJECT:  
NORTH UNIVERSITY CITY PUBLIC FACILITIES FINANCING PLAN AND FACILITIES BENEFIT ASSESSMENT - FISCAL  
YEAR 2009

5. PRIMARY CONTACT (NAME, PHONE, MAIL ST.)  
CHERYL ROBINSON/33679/606F

6. SECONDARY CONTACT (NAME, PHONE, MAIL ST.)  
JOHN TRACANNA/33682/606F

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED:



## 8. COMPLETE FOR ACCOUNTING PURPOSES

FUND				
DEPARTMENT				
ORGANIZATION				
OBJECT ACCOUNT				
JOB ORDER				
C.I.P. NUMBER				
AMOUNT				

9. ADDITIONAL INFORMATION / ESTIMATED COST:

None by this action.

## 10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	DEPUTY CHIEF	WILLIAM ANDERSON-FAICP	10/24/08	8	COO	JAY GOLDSTONE	10/27/08
2	ORIG. DEPT.	CHARLENE M. GABRIEL	10/24/08	9	CITY ATTORNEY	JANA GARMO	11/6/08
3	COUNCIL LIAISON	ED BLANK	10/28/08	10	ORIG. DEPT.	CHARLENE M. GABRIEL	
4	FM/CIP	Debra Cisul	11/1/08				
5	AUDITOR	Rob Ruscitto	11/5/08				
6	EOCP	EXEMPT PER MEMO DATED 11-15-05					
7	DSD/EAS	Kenneth Trasky	11/3/08				

DOCKET COORD:

COUNCIL LIAISON:

COUNCIL PRESIDENT

☐

SPOB

☐

CONSENT

☒

ADOPTION

REFER TO:

COUNCIL DATE 11/10/08

11. PREPARATION OF:



RESOLUTION(S)



ORDINANCE(S)



AGREEMENT(S)



DEED(S)

11A. STAFF RECOMMENDATIONS:

See requested actions and staff recommendations on the reverse side of this sheet.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 1

COMMUNITY AREA(S): North University City

ENVIRONMENTAL IMPACT: This plan is a financing measure and is exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) and Section 15378(b)(4).

GUIDELINES: These financing revisions do not alter the public facilities to be provided in the planning area, as addressed in the Environmental Impact Report (EIR) No. 96-7918.

HOUSING IMPACT: There is no housing impact as a result of this action.

CITY CLERK: Send copies of resolutions to Cheryl Robinson, MS 606F. Two weeks prior noticing of Public Hearing by newspaper is required by the City Clerk.

OTHER ISSUES: Staff will mail notices to property owners who have cash assessments.

SCHEDULE: Resolution of Intention on 11/10/08; Public Hearing at Council on 12/5/08.

REQUESTED ACTION:

1) Approve the North University City Public Facilities Financing Plan – FY 2009; 2) Adopt a Resolution of Intention to designate an area of benefit for a Facilities Benefit Assessment (FBA) in North University City; 3) Adopt a Resolution of Designation for the FBA in North University City; and 4) Approve the setting of Development Impact Fees (DIF) consistent with the FBA in North University City for those developments which have never been assessed or otherwise agreed to pay an FBA; 5) Authorize the City Auditor and Comptroller to modify individual Capital Improvement Budget Program project budgets to reflect this plan .

STAFF RECOMMENDATION:

Approve the North University City Public Facilities Financing Plan - FY 2009; rescind the existing FBA and DIF and establish new FBA and DIF for North University City.

RECEIVED  
08 OCT 30 AM 11:33  
CITY CLERKS OFFICE  
SAN DIEGO, CA

NOV 5 4 00 PM '08  
CITY ATTORNEY

OCT 30 8 31 AM '08  
CITY ATTORNEY

RECEIVED  
08 NOV -6 AM 11:58  
CITY CLERKS OFFICE  
SAN DIEGO, CALIF.

**EXECUTIVE SUMMARY SHEET**  
CITY OF SAN DIEGO

DATE ISSUED: \_\_\_\_\_ REPORT NO: \_\_\_\_\_  
ATTENTION: Council President and City Council  
ORIGINATING DEPARTMENT: City Planning & Community Investment  
SUBJECT: North University City Public Facilities Financing Plan  
(PFFP) – Fiscal Year 2009  
COUNCIL DISTRICT(S): 1  
CONTACT/PHONE NUMBER: Cheryl Robinson (619) 533-3679

**REQUESTED ACTION:**

1) Approve the North University City Public Facilities Financing Plan – Fiscal Year 2009; 2) Adopt a Resolution of Intention to designate an area of benefit for a Facilities Benefit Assessment (FBA) in North University City; 3) Adopt a Resolution of Designation for the FBA in North University City; 4) Approve the setting of Development Impact Fees (DIF) consistent with the FBA in North University City for those developments which have never been assessed or otherwise agreed to pay an FBA; and 5) Authorize the City Auditor and Comptroller to modify individual Capital Improvement Project Program budgets to reflect this plan.

**STAFF RECOMMENDATION:**

Approve the North University City Public Facilities Financing Plan - Fiscal Year 2009; rescind the existing Facilities Benefit Assessments and Development Impact Fees (Attachment #2) and establish new Facilities Benefit Assessment and Development Impact Fees for the North University Community.

**EXECUTIVE SUMMARY:**

The proposed FY 2009 PFFP (Attachment #1) details the public facilities that will be needed through the ultimate development of North University City at full community development, currently estimated to be the year 2015. This plan includes the Westfield University Town Centre (UTC) Development project approved by Council on July 29, 2009.

The proposed financing plan includes the addition of approximately \$28 million in FBA funding as a result of construction and material cost increases, project delays, and the addition of new projects. New projects include an expanded transit center at UTC, a joint use park at University City High School, and two new fire stations, only one of which is funded with FBA at this time. City staff and the UCPG FBA subcommittee's review of the development schedule resulted in a decrease in anticipated development (ADTs), primarily due to the removal of parcels that have no further development rights. The combination of increasing project costs, additional projects, reduction of anticipated ADTs, and reduced revenue due to the downturn in the economy has necessitated an increase of 5% in the assessment rate. Changes that offset potential increases to the fee include replacing FBA funding with Transnet and deferring construction timing assumptions of some facilities.

The following changes are proposed for the assessments of FY 2009:

Land Use	FY 2009 Assessment	Proposed FY 2009 Assessment
Single Family Unit	\$18,581	\$19,510
Multi-Family Unit	\$13,007	\$13,658
Commercial ADTs	\$1,251	\$1,314

FISCAL CONSIDERATIONS:

Adoption of the designated area of benefit will continue to provide a funding source for the public facilities identified in the North University City Public Facilities Financing Plan FY 2009.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

None

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

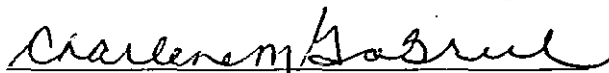
The September 2008 version of the plan incorporating the Westfield/UTC expansion was presented to the UCPG at their September 9, 2008 meeting (please refer to Attachment #4 for more detail). The UCPG approved the April 2008 version of the PFFP by a vote of 12-1-1, with the following caveats (please refer to Attachment #3 for staff response to the motions):

1. The \$7.7 million appropriation for the Regents Road Bridge project for FY 2009 must be moved to FY 2010.
2. The Limited Roadway Changes (included in Project NUC-18B in financing plan) should not be fully funded with FBA funds.
3. The \$4 million for improvements in Rose Canyon should be separated from NUC-18.
4. Construction of the new fire station should be moved from FY 2013-2014 to FY 2010.
5. In conformance with the community plan amendment, a second fire station should be added to the financing plan and should be funded no later than FY 2012.

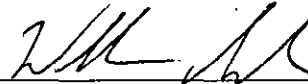
This current version of the plan, dated November 2008, will be provided to the group prior to the Council hearing scheduled on November 10, 2008.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

All property owners with remaining new development are listed on the draft North University City Assessment Roll, beginning on page 163. These property owners will be mailed a notice of the public hearing and a copy of the financing plan. The owners will have liens placed upon their property and will be required to pay an FBA upon any building permit issuance. Redevelopment that increases the intensity of existing uses may be subject to an impact fee.



Charlene M. Gabriel  
Facilities Financing Manager  
City Planning & Community Investment



William Anderson, FAICP, Deputy Chief  
Operating Officer  
Executive Director for City Planning &  
Development

- Attachments:
1. North University City Public Facilities Financing Plan - Fiscal Year 2009
  2. Development Impact Fee Analysis
  3. Staff response to UCPG motion and recent plan changes
  4. List of Changes from April & September 2008 Drafts

Note: Due to the size of the attachment, only a limited distribution was made. These attachments are available on the City's website and a copy is available in the Office of the City Clerk.

**NORTH UNIVERSITY CITY PUBLIC FACILITIES FINANCING PLAN  
(Development Impact Fee Analysis)**

- 1) What is the purpose of the Impact Fee? – The proposed Impact Fees are to ensure that development provides its fair share of funding for community public facilities.
- 2) What is the use to which the fee is to be applied? – The Impact Fees will be used to finance transportation, park, fire, and library facilities. A list of the public facilities projects begins on page 21 of the North University City Public Facilities Financing Plan.
- 3) What is the reasonable relationship between the fee's use and the type of development project on which the fee is imposed? - The Impact Fees will be used to provide for a fair share contribution for community infrastructure projects needed to serve both residential and non-residential development based on the increased intensity of their development. Credit will be given for any existing development.
- 4) What is the reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed?
  - Transportation Projects: Both residential development and non-residential development utilize the communities' transportation system which requires various street projects, traffic signal interconnect systems, landscaping and medians.
  - Park and Recreation Projects: Residential development utilizes the communities' parks and improvements are necessary based on the population build-out and the General Plan guidelines to maintain the existing level of service.
  - Fire Projects: Both residential and non-residential developments utilize fire department services and a new station is necessary based on the population build-out to maintain the existing level of service.
  - Library Projects: Residential development utilizes the community libraries. A new library is necessary based on the population build-out and the General Plan guidelines to maintain the existing levels of service.

**NORTH UNIVERSITY CITY PUBLIC FACILITIES FINANCING PLAN  
Staff Response to UCPG Motions**

Three of the five conditions (listed below) requested at the March 11 meeting of the University City Planning Group have been incorporated in the October 2008 draft FY 2009 North University City Financing Plan.

- 1) **Motion:** The \$7.7 million appropriation for the Regents Road Bridge (Project NUC-18) for FY 2009 must be moved to FY 2010.

**Result:** Done - \$7 million was moved to FY 2011; \$725,000 remains in FY 2009.

- 2) **Motion:** The Limited Roadway Changes should not be fully funded with FBA funds.

**Result:** Done – the project will be funded with Transnet.

- 3) **Motion:** The \$4 million for improvements in Rose Canyon should be separated from the Regents Road Bridge.

**Result:** Done. The Regents Road Bridge project has been split into three new projects:

- a) NUC-18 – Regents Road Bridge
- b) NUC 18A – Rose Canyon Improvements
- c) NUC 18B – Limited Roadway Changes

- 4) **Motion:** Construction of the new fire station should be moved up from FY 2013-2014 to FY 2010.

**Result:** The fire station in the proposed FY 2009 financing plan will be built by the developer as a condition to and in conjunction with the Costa Verde development. The FBA funds will reimburse the developer after the station is complete which is estimated to be in FY 2013-14. Because this will be the subject of a reimbursement agreement, funding is scheduled at the estimated completion date of the station. However, construction of the Monte Verde project may be delayed until recent legal issues regarding the project have been resolved.

- 5) **Motion:** In conformance with the community plan amendment, a second fire station should be added to the financing plan and should be funded no later than FY 2012.

**Result:** A second fire station has been added to the financing plan; however, the funding and a building site have not been identified. Should the community plan be amended to delete any projects, any FBA funding for the deleted projects will become the funding source for the fire station.

**NORTH UNIVERSITY CITY PUBLIC FACILITIES FINANCING PLAN****List of Changes from April and September 2008 Drafts**

- 1) Added Westfield/UTC Expansion Project to the development schedule.
  - 250 units in FY 2013
  - 16,500 ADTs (8,250 ADTs in FY 2010; 8,250 ADTs in FY 2012)
- 2) Added three new CIP projects
  - \$4 million (reduced from \$5 million in FBA) for a Transit Center per July 29, 2008 Council direction (FY 2010 reimbursement to Westfield)
  - \$2.975 million (FBA) for a University City High School joint use park project (FY 2012)
  - \$10.6 million (no FBA funding at this time) for a second new fire station
- 3) Genesee Avenue – Widen I-5 Overcrossing (NUC-24) - Moved timing from FY 2013-14 to FY 2010 due to anticipated receipt of \$362 million in matching State funds that fiscal year.
- 4) Returned 3,413 ADTs (primarily City-owned parcels) to the development schedule.
- 5) Cash flow and development schedule:
  - The development that was originally estimated in the April 2008 draft for FY 2008 was pushed back to FY 2009. The new draft plan reflects actual to date versus estimated development (181 ADTs, zero residential units).
  - The 560-unit Monte Verde project was pushed back one year, from FY 2009-10 to FY 2010-11, due to legal issues.
  - The Westfield/UTC expansion project was pushed back one year as developer does not anticipate pulling permits until FY 2010.
  - Funding for the Regents Road Bridge was pushed back one year, to FY 2012.

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DESIGNATING AN AREA OF BENEFIT IN NORTH UNIVERSITY CITY AND THE BOUNDARIES THEREOF, CONFIRMING THE DESCRIPTION OF PUBLIC FACILITIES PROJECTS, THE COMMUNITY FINANCING PLAN AND CAPITAL IMPROVEMENT PROGRAM WITH RESPECT TO PUBLIC FACILITIES PROJECTS, THE METHOD FOR APPORTIONING THE COSTS OF THE PUBLIC FACILITIES PROJECTS AMONG THE PARCELS WITHIN THE AREA OF BENEFIT AND THE AMOUNT OF THE FACILITIES BENEFIT ASSESSMENTS CHARGED TO EACH SUCH PARCEL, THE BASIS AND METHODOLOGY FOR ASSESSING AND LEVYING DISCRETIONARY AUTOMATIC ANNUAL INCREASES IN FACILITIES BENEFIT ASSESSMENTS, AND PROCEEDINGS THERETO, AND ORDERING OF PROPOSED PUBLIC FACILITIES PROJECT IN THE MATTER OF ONE FACILITIES BENEFIT ASSESSMENT AREA.

WHEREAS, the Council of the City of San Diego [Council] has by its Resolution No. R-\_\_\_\_\_ declared its intention to order the acquisition of certain property and the construction of certain public improvements, appurtenances and appurtenant work [Public Facilities Projects], and to designate the North University City Facilities Benefit Assessment area under the provisions of Ordinance No. 15318 (New Series) of the Council [Ordinance]; and

WHEREAS, by Resolution No. R-\_\_\_\_\_, the Council has approved a document prepared by the City Planning & Community Investment Department titled, the "North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009," [the Report]; and

WHEREAS, in Resolution No. R-\_\_\_\_\_, the Council fixed **10:00 a.m. on the 5<sup>th</sup> day of December, 2008**, at the City Council Chambers, 202 C Street, San Diego, California, as the time and place of hearing protests and objections to the Public Facilities Projects proposed



in the Report to be made, the extent of the facilities benefit assessment area of benefit proposed to be designated, and/or to the proposed facilities benefit assessments to be levied upon parcels within the area of benefit; and

WHEREAS, the City Clerk has given notices of the passage of the Resolution of Intention, Resolution No. R-\_\_\_\_\_, and of the time and place and purpose of the hearing, all as required by Section 61.2205 of the Ordinance; and

WHEREAS, the City Clerk has filed with the Council an affidavit setting forth the time and manner of the compliance with the requirements of the Ordinance for publishing and mailing of the notices; and

WHEREAS, at the time and place stated in the notices, a hearing was duly held by the Council; and during the course of the hearing, the Report was duly presented and considered, and all written protests and objections received, if any, were duly presented, read, heard and considered, and all persons appearing at the hearing and desiring to be heard in the manner of the Report were heard; and a full, fair and completed hearing has been had; and the Council is fully informed in the premises; and

WHEREAS, the Council has examined and considered the community financing plan and capital improvement program with respect to the proposed Public Facilities Projects; the boundaries of the facilities benefit assessment area of benefit; the description of the Public Facilities Projects; the estimated costs for the construction of the Public Facilities Projects and the method pursuant to which the costs are to be apportioned among the parcels within the area of benefit; the amount of the facilities benefit assessments which will be charged to each such parcel; the basis and methodology upon which automatic annual increases in facilities benefit assessments will be computed, assessed and levied, without the necessity for further proceeding;

the amount of the contribution or advance which the City or other public entity will make toward the total cost, all as proposed in the Report, and the proceedings prior thereto, and the evidence presented at the hearing;

WHEREAS, the North University City community is near build out, and the goal of the North University City FBA is to ensure sufficient funds are available to provide needed community public facilities; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The hearing has been duly held, and each and every step in the proceedings prior to and including the hearing has been duly and regularly taken. The Council is satisfied with the correctness of the Report, including the community financing plan and capital improvement program with respect to the Public Facilities Projects; the boundaries or the facilities benefit assessment area of benefit; the description of the Public Facilities Projects; the costs for the construction of the Public Facilities Projects, and the method pursuant to which the costs are to be apportioned among the parcel within the area of benefit; the amount of the facilities benefit assessments which will be charged to each such parcel; the basis and methodology upon which *automatic annual increases in facilities benefit assessments will be computed*, assessed and levied; and the amount of the contribution or advance which the City or other public entity will make toward the total cost; and any and all protests, objections or appeals are overruled and denied. The Council does confirm the proceedings and the Report.

2. The Council orders the proposed Public Facilities Projects to be undertaken and completed as described in the Report and these proceedings.

3. The Council does confirm and approve the community financing plan and capital improvement program with respect to the Public Facilities Projects as set forth in the Report.

4. The Council does confirm and fix the total costs of the Public Facilities Projects financed out of facilities benefit assessments to be the amount shown in the Report, i.e. \$251,781,425.

5. The Council does confirm and fix the boundaries of the facilities benefit assessment area of benefit as shown on the diagram of the area of benefit contained in the Report.

6. The Council does confirm and approve of the method pursuant to which the costs of the Public Facilities Projects are to be apportioned among the parcels within the area of benefit as set forth in the Report and confirms and fixes the amount of the facilities benefit assessments which will be charged to each such parcel to be the amounts shown in the Report subject to automatic annual increases pursuant to paragraphs 7 and 8 of this Resolution.

7. The Council does confirm, approve and direct that all fees due under the North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009, shall be those fees in effect at the time the building permit is issued.

8. The Council does confirm and approve the basis and methodology upon which automatic annual increases in facilities benefit assessments will be computed, assessed and levied, without the necessity for further proceeding as proposed in Resolution No.

R-\_\_\_\_\_ of the Council and the Report. It shall be the duty and obligation of the City Planning & Community Investment Department to make the computations and determinations pursuant to this Section of this Resolution.

9. The Council does confirm and fix the amount of the contribution or advance which the City or other public entity will make toward the total cost to be the amount shown in the Report.

10. The City Planning & Community Investment Department is authorized and directed to prepare a map of the boundaries of the area of benefit based on this Resolution and to file the map with the City Clerk in accordance with the provisions of Section 61.2209(a) of the Ordinance. The City Clerk is authorized and directed to record the map in the office of the County Recorder of the County of San Diego.

11. The City Clerk is authorized and directed to execute and record a Notice of Assessment in the office of the County Recorder of the County of San Diego in accordance with the provisions of Section 61.2209(b) of the Ordinance.

12. The Auditor and Comptroller is authorized and directed to transfer, appropriate and expend the subject FBA funds as necessary to ensure timely payment of all North University City public facilities projects.

BE IT FURTHER RESOLVED, that this activity is not subject to CEQA pursuant to State CEQA Guidelines Sections 15060(c)(3) & 15378(b)(4).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Jana L. Garmo  
Deputy City Attorney

MG:als  
11/04/08  
Or.Dept:Planning & Community  
R-2009-538  
MMS#6955

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE DEVELOPMENT IMPACT  
FEE SCHEDULE FOR PROPERTIES WITHIN NORTH  
UNIVERSITY CITY.

BE IT RESOLVED, by the Council of the City of San Diego, that the assessment fee schedule contained in the North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009, as adopted and approved on \_\_\_\_\_, 2008 by Resolution No. R-\_\_\_\_\_ is declared to be an appropriate and applicable development impact fee schedule [DIF] for all development within the North University City Community that has either never been assessed under the North University City Public Facilities Financing Plan or has not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

BE IT FURTHER RESOLVED, all fees due under the North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009, shall be those fees in effect at the time the building permit is issued.

BE IT FURTHER RESOLVED, that the Docket Supporting Information [Report to the City Council No. \_\_\_\_\_], including all exhibits and attachments thereto, and the text contained in the North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009, a copy of which is on file in the office of the City Clerk as Document No. RR-\_\_\_\_\_, is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to California Government Code

sections 66001(a) and 66001(b) for imposition of DIFs. Specifically, it is determined and found that this documentation:


1. Identifies the purpose of the DIF;
2. Identifies the use to which the DIF is to be put;
3. Demonstrates how there is a reasonable relationship between the DIF's use and the type of development project on which the DIF is imposed; and
4. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to modify individual Capital Improvement Budget Program project budgets to reflect this plan.

BE IT FURTHER RESOLVED, that this activity is not subject to CEQA pursuant to State CEQA Guidelines Sections 15060(c)(3) & 15378(b)(4).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
Jana L. Garmo  
Deputy City Attorney

JLG:als

11/04/08

Or.Dept:Planning & Community

R-2009-539

MMS#6955

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date).

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor



RESOLUTION NUMBER R- 304343DATE OF FINAL PASSAGE NOV 13 2008A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO APPROVING THE NORTH UNIVERSITY CITY  
PUBLIC FACILITIES FINANCING PLAN AND FACILITIES  
BENEFIT ASSESSMENT, FISCAL YEAR 2009

BE IT RESOLVED, by the Council of the City of San Diego, that it approves the  
document titled, "North University City Public Facilities Financing Plan and Facilities Benefit  
Assessment, Fiscal Year 2009," a copy of which is on file in the office of the City Clerk as  
Document No. RR- 304343.

BE IT FURTHER RESOLVED, all fees due under the North University City Public  
Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009, shall be those fees  
in effect at the time the building permit is issued.

BE IT FURTHER RESOLVED, that this activity is not subject to CEQA pursuant to  
State CEQA Guidelines Sections 15060(c)(3) & 15378(b)(4).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
Jana L. Garmo

Deputy City Attorney

JLG:als

11/04/08

Or. Dept: Planning

R-2009-536

MMS#6955

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 10 2008.

ELIZABETH S. MALAND  
City Clerk

By *Aria Richard*  
Deputy City Clerk

Approved: 11-13-01  
(date)

*J.S.*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

RESOLUTION NUMBER R- 304344DATE OF FINAL PASSAGE NOV 13 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING ITS INTENTION TO DESIGNATE AN AREA OF BENEFIT IN UNIVERSITY CITY AND SETTING THE TIME AND PLACE FOR HOLDING A PUBLIC HEARING THEREON.

WHEREAS, the Council of the City of San Diego [Council] desires to initiate proceedings for the designation of a facilities benefit assessment area of benefit in North University City pursuant to Ordinance No. 15318 (New Series) of the Council [Ordinance] which area of benefit will specially benefit from the acquisition, improvement and construction of certain public improvements more particularly described in the document titled, "North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009," [Report]; and

WHEREAS, the Mayor, with the assistance of the City Planning & Community Investment Department, made and filed with the City Clerk, the Report, a copy of which is on file in the office of the City Clerk as Document No. RR- 304343; and

WHEREAS, the Council has examined and considered the Report, including the community financing plan and capital improvement program with respect to the proposed public facilities projects; the proposed boundaries of the facilities benefit assessment area of benefit; the general description of the public facilities projects; the estimated costs for the construction of said public facilities projects; the method pursuant to which the costs are to be apportioned among the parcels within the area of benefit and the amount of the facilities benefit assessments which will be charged to each such parcel; the basis and methodology by which automatic

annual increases in the facilities benefit assessment will be computed, assessed and levied pursuant to Section 61.2212 of the Ordinance; and the amount of the contribution or advance which the City or other public entity will make toward the total cost of the public facilities projects; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Council declares its intention to designate an area of benefit within North University City to finance the cost of the public facilities projects pursuant to the Ordinance.
2. The Council is satisfied with the correctness of the Report, including, without limitation, the community finance plan and capital improvement program with respect to said public facilities projects; the proposed boundaries of the facilities benefit assessment area of benefit; the description of the public facilities projects; the estimated costs for the construction of the public facilities projects; the method pursuant to which the costs are to be apportioned among the parcels within the facilities benefit assessment area of benefit, and the amount of the facilities benefit assessments which will be charged to each such parcel; the basis and methodology by which automatic increases in the facilities benefit assessments will be computed, assessed and levied pursuant to Section 61.2212 of the Ordinance; and the amount of the contribution or advance which the City or other public entity will make toward the total cost of the public facilities projects. The Council does confirm and approve the Report.
3. The public facilities projects will be undertaken and completed as described in the Report.
4. The community financing plan and capital improvement program with respect to the public facilities projects will be as set forth in the Report.

5. The boundaries of the facilities benefit assessment area of benefit will be as set forth in the Report.

6. The method pursuant to which the cost of the public facilities project is to be apportioned among the parcels within the facilities benefit assessment area of benefit and the amount of the facilities benefit assessments which will be charged to each such parcel will be as set forth in the Report.

7. The Council determines it necessary to provide for automatic increases in the amount of facilities benefit assessments for landowners who have not paid their facilities benefit assessments without the necessity for further proceeding pursuant to Section 61.2212 of the Ordinance in order to reflect increases in the cost of money during the period between the imposition of the facilities benefit assessment, the payment of facilities benefit assessments and completion of the public facilities projects. The Council further determines that the basis and methodology for computing such increases set forth in the Report is reasonable and appropriate in order to provide an equitable distribution of the cost of the public facilities projects to community developers and the ultimate purchasers of developed properties.

8. All fees due under the North University City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2009, shall be those fees in effect at the time the building permit is issued.

9. The amount of contribution or advance which the City or other public entity will make toward the total cost of the public facilities project will be as set forth in the Report.

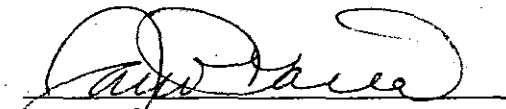
10. The Council shall hold a public hearing to consider the designation of the area of benefit as proposed in this resolution at **10:00 a.m. on the 5<sup>th</sup> day of December, 2008**, at the Council Chambers, 202 C Street, San Diego, California.

11. The City Clerk is authorized and directed to give notice of the public hearing described in paragraph 10 of this resolution by publishing this Resolution in the "*San Diego Daily Transcript*" at least two weeks before the date set forth herein and by mailing copies of this resolution to each owner of property located within the proposed area of benefit at the addresses shown on the last equalized property tax assessment roll, or as otherwise known to the City Clerk pursuant to Section 61.2205 of the Ordinance.

BE IT FURTHER RESOLVED, that this activity is not subject to CEQA pursuant to State CEQA Guidelines Sections 15060(c)(3) & 15378(b)(4).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
Jana L. Garmo  
Deputy City Attorney

MG:als  
11/03/08  
Or.Dept:Planning & Community  
R-2009-537  
MMS#6955

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 10 2008.

ELIZABETH S. MALAND  
City Clerk

By *Jana Richardson*  
Deputy City Clerk

Approved: 11-13-08  
(date)

*JSL*  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Council Docket Item 204, November 10, 2008

Council President Peters and Members of the City Council

My name is Robert Munn. My wife and I live in South University City, about a block from Genesee Avenue. We can hear the desperate sounds of emergency vehicles, fighting to reach or pass through this area during periods of peak traffic on Genesee. These delays have become critical!

As you know, in recent years this has become a major public safety Crisis! Genesee is overwhelmed twice every weekday, and the emergency responders often have to take unacceptable personal risks in driving on the wrong side of the street to reach their destinations, whether it be a hospital, medical victim, a fire, or a police emergency.

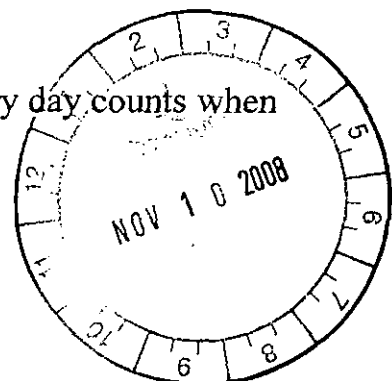
The ten pages attached to this letter are from a document prepared, I believe, by Council Member Maienschein in October last year. They contain the addresses of all those whose homes were destroyed by the wildfire in Rancho Bernardo. Some of those homeowners did not survive the fire. The rest and many others lost most or all of their belongings. If you do not believe that an adequate evacuation route is critical, just ask any of those residents who had to flee for their lives.

Updating this North University City FBA is essential toward the future safety of the University City area, by guaranteeing adequate infrastructure funding, including that for the building of the Regents Road Bridge. The Bridge is the only possible solution to the need for an alternate evacuation route, and strongly supported by our Mayor and our principal Public Safety officers, the Chief's of the San Diego Police and Fire/Rescue Departments.

This FBA Update is more than a year overdue, and project costs continue to rise. Please do not allow the city to accept any further costly delays orchestrated by the bridge opponents' frantic attempts. Do not allow this update to be held over into 2009.

Please vote to move ahead with this update. Every day counts when human lives are at stake!

Thank you.





### **List of Homes Destroyed in Rancho Bernardo**

**\*\*This list was compiled by my office and is not an official listing of all structures lost. We will continue to update this list as more information becomes available.**

**\*\*The Eastview development is currently being evaluated and will be added to the list shortly.**

#### **Aceituna Street.**

18494  
18525  
18607  
18647  
18667  
18687  
18707  
18736  
18787

#### **Agreste:**

11691

#### **Aguacate Way:**

17867  
17887

#### **Aguamiel:**

18028  
17998  
17988  
17978  
17967  
17968  
17961  
17960  
17952  
17955  
17946  
17947  
17942  
17938  
17941  
17913  
17905  
17881  
17873  
17865

Address not visible house across from 17850 & next to 17849

17841

17838

17825

17814

Address not visible across from 17808 & next to 17803

17794

17786

17778

**Aguamarina Pt.**

13033

**Agusto Way**

12929

12938

12949

12958

Between 12938 & 12958

12968

12969

12988

**Alcade:**

11476

11460

**Aliento:**

11486

11463

11462

11454

11457

11512

11513

11523

11533

11552

**Andanza:**

11656

11666

11676

**Augustus Place**

Address not visible btwn 12714 & 12723

**Ave. Cordilla**

18675

**Azofar**

18425

18435

**Azucar:**

17808

17816

17824

17849

Address not visible house btwn 17849 & 17865

17865

17885

17864 (Extensive Damage)

**Bedfordshire Court:**

12613

**Bellechase Circle:**

17776

17782

17788

17792

17796

**Bernardo Trails Court**

18375

18455

18490

**Bernardo Trails Drive:**

18684

18735

18808

18829

18839

**Bravata Court**

18829

18828  
18808  
12888 (Partial)

**Cabela Place**  
11449

**Cabela Drive:**  
18013  
No address visible btwn 18013 & 17995  
17995  
17987  
17961  
17943

**Calle Estapona**  
18064  
18054

**Caminito Ramillette**  
13145  
13140  
13130  
12899

**Canfield Place:**  
18278  
18298  
18295  
18275

**Capilla:**  
11279 (partial)

**Chetenham Lane:**  
12580  
12532

**Chieftan:**  
18185

**Cloudsly Drive:**

12464  
12515  
12523  
12524  
12535 partial  
12546  
12554  
12566  
12571  
12572  
12579  
12595 (partial)

**Cmto Pasadero:**

18791 #73  
18721 #150 & 148

**Corazon:**

17947  
17948  
17927  
17898  
17897  
17877  
17878  
17858  
17857  
17837  
17838  
17818  
17808

**Corte de Aceitunos**

18175  
18181

18187

**Creciente Way:**

17716

17777

17787

**Creciente Court:**

11323

**Danza Circle:**

11517

No address visible btwn 11527 & 11534

11534

11524

**Duenda:**

11419

11448 (partial)

11458

Address not visible next to 11449 & across from 11458

11464

11468

11469

11478

11479

11510

**Escoba:**

11479

11534

**Haden Hall Court:**

18255

**Hampshire Lane:**

18379

**Ipai Court:**

11072

**Jocatel:**

11686

11666

**Lancashire:**

18520  
18539  
18551  
18545  
18560  
18576  
Address not visible btwn 18560 & 18576  
18584  
18587 (partial)  
18617  
18635  
18641  
18647  
18653  
18673  
18683  
Address not visible btwn 18673 & 18683  
18690  
18682  
Address not visible btwn 18682 & 18666  
18658  
18650  
18642  
18634  
18626  
Address not visible btwn 18618 & 18602  
18564  
18576  
Address not visible btwn 18576 & 18560  
18560  
Address not visible btwn 18275 & 18258

**Lincolnshire Street:**

18344  
18336  
18328

**Locksley Street:**

18588  
18580  
Address not visible btwn 18627 & 18611  
18643  
18642  
18667  
18683  
18689

18697  
18682  
18666  
18658

**Lunada Place**

12898  
12850  
12841  
12808

**Lunada Point**

18718

**Luz Place:**

11373  
11363  
11353

Address not visible to left of 11372

**Luz Road:**

11430  
11420

**Matinal Drive:**

17616  
17608

**Moon Song:**

18285

**Olmeda Court**

Between 13014 & 13023

**Olmeda Place**

18708  
18707

**Pajaro:**

11389

**Palito Court:**

11536  
11485(partial)  
11539  
11529  
11519



Address not visible to the right of 11534

Address not visible across from 11479

**Poblado Road:**

\*Some units burned in La Terraza – unable to confirm units.

**Polvera Ave**

12929

12939

Between 12930 & 12958

12958

13164

12986

13084

13103

13104

13113

13123

13013

13023

13034

13044

13054

13053

**Polvera Court**

12913

12923

12943

12942

12922 (Partial)

**Polvera Drive**

18670

18790

18705

**Polvera Way**

18025

18055

**Pueblo Vista:**

17893

**Robleda Court:**

18608

18687

**Robleda Cove:**

12958 (partial)

**Shopshire Lane:**

Address not visible between 12587 & 12559

**Sun Maiden:**

18187

18181

**Valladares:**

17616

17605

17635

17788

17848

18188

18198

18187

18177

18167

18157

18147

Address not visible to left of 18107

**Via Terifa**

18034

**Weaving Lane:**

17783

**Wessex Street:**

18666

18674

18515

18523